

HISTORIC DISTRICT COMMISSION
Meeting Minutes
July 8, 2013

CALL TO ORDER:

Mr. Mike Troutman, Chairperson called the meeting to order at 4:00 p.m.

ROLL CALL:

Members Present:	Dan Buscher	Doug Sofia
	Eric Greene	Mike Troutman
	Mark Jones	Kim Tuck
	Susan Baldwin (City Commission Liaison)	

Members Excused: None (All Present)

Staff Present: Glenn Perian, Senior Planner, Planning Dept.
Leona Parrish, Admin. Assistant, Planning Dept.

ADDITIONS / DELETIONS TO AGENDA: None

APPROVAL OF PREVIOUS MINUTES:

**MOTION WAS MADE BY MR. ERIC GREENE TO APPROVE THE MINUTES
AS PRESENTED FOR THE JUNE 10, 2013 HISTORIC DISTRICT COMMISSION
MEETING; SECONDED BY MR. KIM TUCK.**

ALL IN FAVOR, NONE OPPOSED MOTION; MOTION CARRIED.

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A) 173 Capital Avenue, N.E. - (*Request to Convert from Residential to Office Building*)

Mr. Larry Rizer, Architects Inc., PC, 49 Cass St., Battle Creek, on behalf of TIA Corporation (owner) was present stated he was hired to renovate and convert this property from a residential use to an office use building by adding a concrete stoop, closure of added-on doorway, removal of added-on wood deck, repointing / patching of brick work and repave parking lot with signage. Mr. Rizer stated the owner presently own 181 Capital Ave., N.E. on the corner of Fremont where they have offices and they would like to convert this property which is next door to office use. Said he had provided site plans to the Planning and Public Works Departments of the City of Battle Creek and any issues have been addressed to satisfy Historic District and Public Works guidelines and is now asking to be allowed to pull the required permits to get the conversion completed. Said they have spoken to the property owner to the west who have had some break-ins and plan to share in the cost for a fence that separates the two properties to help prevent vandalism; noted that the property owner on the

corner of Fremont St. and Frelinghuysen Ave. have a letter of agreement and will be purchasing and combining to their property the adjacent parcel owned by the TIA Corporation at 181 Capital Avenue, N.E.

Mr. Doug Sofia asked if the railing design shown in the drawing will look open and having no guard-rail only a hand-rail. Mr. Rizor stated, yes that was correct as they are not dropping more than 30 inches so it is only required to have a hand-rail, and are trying to minimize the change in the building appearance. Said the original retaining wall once supported a porch with a flat roof and are trying to keep clear of that back wall incase in the future someone wished to build the porch back on that building it would be possible.

Mr. Mark Jones stated the photo on page one shows an outline of three parcels and asked if it was a typo or an intentional outline. Mr. Rizor stated yes all three are owned by TIA Corporation; but will only be two parcels #173 and #181 Capital Ave., N.E., as the small vacant lot will be sold to the adjacent property owner at the corner of Fremont Street and Frelinghuysen Avenue.

Mr. Kim Tuck asked if there would be traffic flow across 181 Capital Ave. N.E. for the traffic pattern. Mr. Rizor stated yes, that is correct there would be traffic going in and out on Fremont Street and only going in off Capital Avenue, N.E.

Mr. Mark Jones stated regarding all the houses on Capital Avenue N.E. have retained their porches; he thinks the ramp destroys the architecture and looks very much out of place and would destroy the design of the property and does not see what the historical property once was in retaining its historical character of the property and is going towards modernism. Mr. Jones asked if they could put the porch back and enclose the ramp on the porch, so it will restore the look. Said they have had other property owners on Maple Street that had their neighbor who is not in a historic district replace theirs, spent a lot of time and money to make it look historically correct; when their neighbor does not and diminishes their value. Stated he is wondering if they are not in the same situation where we are progressing as the building looks different than it had and has lost architectural features; the porch and 3rd story in the center and see this as one more step towards away from what the rest of the houses look like.

Mr. Mike Troutman asked if we knew when the porch was removed. Mr. Kim Tuck said it has been gone along time. Mr. Mark Jones said yes, it had been removed before it was added to an historic district and is not a question of it being legal when it had been done; the problem is do we continue to let it march towards modernism or do we say no you cannot.

Mr. Kim Tuck noted referring to the plans showing the original porch and the support wall to the left would remain and the wood deck behind the main structure will be removed with half of the new ramp being where the wood deck had been; therefore the only portion that would be showing is the 18 inches high in the front ramp down to the sidewalk in the front.

Mr. Larry Rizor said they need to raise the grade away from the house to soften it and now the water runs back towards the house and by raising the grade by one-step at the top for a barrier free entrance use and will keep the brick retaining wall. Said the building had been cobbled up with additions on the left side and on the back-side it has had three to four modifications since the year 1940 and is now a vacant building with an opportunity to put it back into service. Noted they have not done anything to alter the original architecture and have closed-up some

of the openings and removed the wood deck and it would require a lot of work to restore to its original structure. Stated this property has been through a lot of abuse through the years and has lost a lot of its original design. Mr. Rizor said he has spoken with Dr. Chadwick office to ask about leasing of his parking lot and was told there are no spaces available. Said they want to keep the parking to the rear of the property.

Mr. Jones said he understands it is not the owners desire to return it to its original appearance, but that is why they have historic districts, because one land owner can say they do not care about the history of the property so they do whatever they want. Said that is why this commission exist; is to say whether you want to restore it or not, you still have to maintain the integrity of the neighborhood. Said just last month we made persons spend a lot more on windows then they would have wished.

MOTION MADE BY MR. MARK JONES TO TABLE THIS REQUEST AND ALLOW MORE TIME FOR RESEARCH AND TALK TO STAFF.

Mayor Baldwin stated she feels we have not had enough discussion and asked if the other Historic Commission members had anything to ask or say regarding this appeal.

MOTION WAS WITHDRAWN BY MR. MARK JONES TO ALLOW FOR DISCUSSION.

Mr. Eric Greene said he feels some of what Mr. Jones says is a matter of opinion regarding it being “quote” a march towards modernism. He looks at the comparison between the existing structure and future which seems to him that the changes actually increases the historic aesthetic value of the property; going from the wood deck for example and think the changes proposed will have more of an historic aesthetic appearance.

Mayor Baldwin said she thinks that the fact they are willing to put this type of an investment into a property that has been a troublesome apartment building for sometime; is very positive and think that this will stabilize a corner and allow a building to come back to life and looks like it is a minimal change so if someone later on decided to make the changes they could and think this is going to protect the asset better than what it is now. Said a ramp is a requirement for today’s public buildings; with the Y-Center across the street, Dr. Chadwick’s office, Accounting office and the CIR Center a few doors away and feel it will be an improvement and the changes they are proposing is a step in the right direction.

Mr. Mike Troutman said with the condition the structure was in when it was accepted into the Historic District, this is square one and where they are starting from, the base line and what they are proposing is minimal. Said he is in agreement with the Mayor and cleaning up the property with removing the wood rail that is there and going with a hand-railing rather than a fancy decorative railing that may or may not fit in with the aesthetics of the building.

Mr. Doug Sofia said his only concern was the hand-rail and what it would look like when finished where most handicap ramps have the side panels. Said it appears the changes they propose would be minimal and less obvious from the street and that the structure will not be changed, just basically cleaning it up. Said he cannot see forcing someone pay approximately \$80,000 or \$90,000 dollars to replace a porch.

Mr. Kim Tuck stated if the hand-rail would be painted black and the ramp being behind the existing wall it would only be approximately 15 inches exposed in the front and even less if landscaping was done it would hide the rest; therefore he does not see this as affecting the visual appearance of the building hardly at all. Mr. Rizor said there are gripping standards that need to be met with barrier free, but can paint the railing black to try to minimize it so it does disappear.

Mr. Dan Buscher stated in applying (a. thru j.) found in section 1470.17, he does not find anything shocking or disturbing or out of place that would prevent him approving this request.

Mr. Mark Jones said he withdrew his original motion to table this request to allow everyone on the commission to speak; as everyone has spoken he wished to again make the motion.

MOTION WAS MADE BY MR. MARK JONES TO TABLE THE REQUEST FOR ONE MONTH.

Discussion:

Mr. Dan Buscher asked why we are asking for one month. Mr. Mark Jones said in general he wanted to talk to staff about distinguishing original qualities or characters of a resource and ask staff about how we are applying these. Said he wants to be consistent and if we have asked persons to change windows back to their original and like to be consistent in applying our standards.

Mr. Troutman stated the windows were changed because they were doing window work, and it is his understanding this property is not doing window work; asked if that is correct. Mr. Rizor stated that is correct.

Mr. Mark Jones said that can lead them down a slippery path, where we can piece-meal changes that if you change one brick it does not seem to matter and ten changes later; this building is a case in point. Said any one single change whether it is the addition to the left, the removal of the porch; there is a sequence of themes and he understands those changes took place before the creation of the Historic District Board. Stated this is why we created a Historic District and is asking for time to confer with staff about maintaining if we asked land owner A to do something, are we being reasonable and consistent in asking land owner B to do or not do that sort of thing. Said he is asking more time to come up with a consistent basis and not just "it looks good, o.k. good by" and does not think they are doing their job very well if they are not applying.....

Mayor Baldwin stated she believes that the (a. thru j.) Historic Preservation Guidelines are very specific standards and each of those standards had been addressed.

Mr. Troutman stated they cannot make someone do changes to the windows or the porch that they have not requested to change; they are taking the building the way it is and going forward. Said he agrees with what Mr. Jones said in principle with the changes in the building, but they are not making those changes. Said the current addition was not apart of the original building and now the new owner is trying to clean it up and make it look good.

With no others wishing to speak, Chairperson, Mr. Troutman asked commissioners for support of the MOTION to TABLE; No second for the motion; MOTION FAILED.

MOTION WAS MADE BY MR. DAN BUSCHER TO APPROVE THE REQUEST FOR A CERTIFICATE OF APPROPRIATENESS FOR THE PROPOSED WORK OUTLINED IN THE PLAN SUBMITTED BASED ON THE STAFF REPORT AND INFORMATION SUPPLIED BY ARCHITECTS INC. AND ANSWERS PROVIDED TO THE BOARD TODAY TO CONVERT THE RESIDENTIAL STRUCTURE INTO AN OFFICE USE AS THE REQUEST MEETS THE STANDARDS OUTLINED FOR PROPERTY LOCATED AT 173 CAPITAL AVENUE, N.E.; SECONDED BY MR. ERIC GREENE.

VOTE TAKEN: FIVE IN FAVOR (BUSCHER, GREENE, SOFIA, TROUTMAN AND TUCK); ONE OPPOSED (JONES); MOTION CARRIED.

Mr. Larry Rizor said thank you for the approval and that even if they have not spent a lot of money on the outside; the inside has had a lot of money put into this project having a significant investment in this property with well over a quarter of one-million dollars.

Mr. Mike Troutman stated considering what they have to work with the building; it certainly does not change the neighborhood.

Mr. Dan Buscher asked what the timeframe was for the completion of this project. Mr. Rizor said they are anxious to get started, it has been a longer process than what they hoped; so a one month delay would have been a critical death blow to the project and said thank you very much for the support.

PUBLIC COMMENTS: None

COMMENTS FROM COMMISSION MEMBERS AND STAFF: Mr. Buscher thanked the staff for the work done on the reports and material provided to them in being timely and efficient; as it helps with his understanding of what is being proposed.

ADJOURNMENT:

Mr. Mike Troutman, Chair adjourned meeting at 4: 32 P.M.

Submitted by: Leona A. Parrish, Administrative Assistant, Planning Department